



EXECUTIVE ORDERS

# Presidential Executive Order Promoting Free Speech and Religious Liberty

— LAW & JUSTICE | Issued on: May 4, 2017



By the authority vested in me  
as President by the  
Constitution and the laws of  
the United States of America,  
in order to guide the executive  
branch in formulating and  
implementing policies with  
implications for the religious  
liberty of persons and  
organizations in America, and  
to further compliance with the  
Constitution and with

applicable statutes and Presidential Directives, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the executive branch to vigorously enforce Federal law's robust protections for religious freedom. The Founders envisioned a Nation in which religious voices and views were integral to a vibrant public square, and in which religious people and institutions were free to practice their faith without fear of discrimination or retaliation by the Federal Government. For that reason, the United States Constitution enshrines and protects the fundamental right to religious liberty as Americans' first freedom. Federal law protects the freedom of Americans and their organizations to exercise religion and participate fully in civic life without undue interference by the Federal

branch will honor and enforce those protections.

Sec. 2. Respecting Religious and Political Speech. All executive departments and agencies (agencies) shall, to the greatest extent practicable and to the extent permitted by law, respect and protect the freedom of persons and organizations to engage in religious and political speech.

In particular, the Secretary of the Treasury shall ensure, to the extent permitted by law, that the Department of the Treasury does not take any adverse action against any individual, house of worship, or other religious organization on the basis that such individual or organization speaks or has spoken about moral or political issues from a religious perspective, where speech of similar character has, consistent with law, not ordinarily been treated as

in a political campaign on behalf of (or in opposition to) a candidate for public office by the Department of the Treasury. As used in this section, the term “adverse action” means the imposition of any tax or tax penalty; the delay or denial of tax-exempt status; the disallowance of tax deductions for contributions made to entities exempted from taxation under section 501(c)(3) of title 26, United States Code; or any other action that makes unavailable or denies any tax deduction, exemption, credit, or benefit.

### Sec. 3. Conscience

Protections with Respect to Preventive-Care Mandate. The Secretary of the Treasury, the Secretary of Labor, and the Secretary of Health and Human Services shall consider issuing amended regulations, consistent with applicable law, to address conscience-

preventive-care mandate  
promulgated under section  
300gg-13(a)(4) of title 42,  
United States Code.

Sec. 4. Religious Liberty  
Guidance. In order to guide all  
agencies in complying with  
relevant Federal law, the  
Attorney General shall, as  
appropriate, issue guidance  
interpreting religious liberty  
protections in Federal law.

Sec. 5. Severability. If any  
provision of this order, or the  
application of any provision to  
any individual or  
circumstance, is held to be  
invalid, the remainder of this  
order and the application of  
its other provisions to any  
other individuals or  
circumstances shall not be  
affected thereby.

Sec. 6. General Provisions. (a)  
Nothing in this order shall be  
construed to impair or

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,

May 4, 2017.